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EXHIBIT 19  
DATE 3/27/2013  
SS 629

February 25, 2013

Mr. Chris Tweeten, Chairman  
Montana Reserved Water Right Compact Commission  
1625 Eleventh Avenue  
PO Box 201601  
Helena, MT 59620-1601

Dear Mr. Tweeten:

My name is Gordon Zimmerman and for the past 10 years I have had the pleasure to serve as President of Community Bank, Inc. in Ronan, MT. Our institution has served the Mission Valley since 1910 and has consistently supported the economic activities of the Salish & Kootenai Tribe (Tribe) as well as the non tribal residents for over 100 years.

I write today in support of the Montana Reserved Water Right Compact Commission's (Commission) scheduled February 26, 2013 "Action Item" to approve the "Proposed Water Rights Compact" (Compact).

Since the Commission's formation in 1979 and since its focus on this particular Compact in 2009, untold financial resources have been expended by Federal, State, Tribal and local officials in bringing this Compact to a vote. While this Compact is not exclusively beneficial to any one group, all have agreed that this compromise is preferred to years of continued delays and protracted litigation.


The Mission Valley is slowly emerging from the Great Recession and recent commercial economic development is encouraging. Agricultural trends are positive as well, with the majority of operators seeing improvements in land and product values. The proposed Compact also provides economic benefit through funding of needed repairs and improvements to the existing water delivery channels. Continued delays or further litigation by fringe groups will only serve to jeopardize this economic recovery, replacing clarity and consensus with unknown water rights potentially dictated by parties outside of our community. This point is made clear when reviewing the attached February 19, 2013 letter from the United States Department of the Interior.

I wish to thank the Federal, State, and Tribal governments who have invested significant time and resources in bringing this Compact to the Commission for this critical vote. While these negotiations have been lengthy and at times difficult, all parties have put the success of this Compact above personal agendas.

I respectfully request that the Commission vote to approve this Compact for submittal to the 2013 Montana State Legislature. Now is the time for action – now is the time for delivery of a clear Compact negotiated in good faith by all parties.

Thank you for your time and consideration on this matter.

Best Regards,

  
Gordon Zimmerman  
President

cc:

Mr. Joe Durglo, Chairman, Confederated Salish & Kootenai Tribal Council

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# MOUNTAIN WATER COMPANY

P.O. Box 4826 - 1345 W. Broadway - Missoula, MT 59806 - Phone (406) 721-5570 - Fax (406) 523-5090 - [www.mtnwater.com](http://www.mtnwater.com)

January 16, 2013

Joe Durglo, Chairman  
Confederated Salish and Kootenai Tribes  
PO Box 278  
Pablo, MT 59855

Chris Tweeten, Chairman  
Montana Reserved Water Rights Compact Commission  
2705 Spurgin Road, Bldg. C  
Missoula, MT 59804

**RE: Proposed Confederated Salish & Kootenai Tribes Water Rights Compact**

Dear Compact Parties and Montana Legislature,

This letter expresses Mountain Water Company's support of the proposed Water Rights Compact entered into by the Confederated Salish & Kootenai Tribes, The State of Montana, and United States of America.

Mountain Water Company (Mountain) is the primary public water supplier for the city of Missoula and surrounding area, serving over 23,000 customers with a population of about 60,000. Mountain's supply comprises 70+ water rights with priority dates ranging from 1866 to 1996. Mountain's ability to acquire new water rights in the future will play an integral part in Missoula's ability to grow. Mountain takes water rights in western Montana very seriously.

Mountain supports the proposed Compact for a number of reasons, including:

- The Compact will avoid inevitable and protracted federal litigation over CSKT's water rights.
- Mountain and other water users can participate in the adjudication of any of CSKT's off-reservation water rights through the normal stream adjudication process under the jurisdiction of Montana's Water Court, as opposed to prolonged litigation in the Federal court system.
- The instream flow provisions protect recharge to the Missoula Aquifer, Missoula's only water supply.
- The Compact does not create any "new" water rights in the upper Clark Fork, Bitterroot, or Blackfoot River Basins.
- Hungry Horse Reservoir water will be leasable to support future growth in the Clark Fork watershed.

Mountain understands that all parties made significant concessions, and extends our thanks to the Compact Parties for their creative and diligent efforts in reaching this proposed settlement.

Sincerely,

Ross D. Miller, Esq., PE  
Chief Legal Officer  
Mountain Water Company

John Kappes  
President  
Mountain Water Company

Copy: David Harder, U.S. Department of Justice  
Duane Mecham, U.S. Department of the Interior  
Dick Barrett, Montana Senate

**March 7, 2013**

**Water Rights Decision Time**

Water rights decision time is now. Hopefully the MT State legislature will approve the Compact agreement during this session. I also hope that farmers and ranchers will support the related Water Use Agreement (WUA). I raise hay on a 240 acre farm that is very dependent on irrigation water for survival. I publicly opposed the May 2012 version of the WUA but for a number of reasons I support the renegotiated WUA released in late January of this year.

First, I am confident that the terms of the WUA contract would give my farm, along with others, legally secure access to water under a Tribal water right with an 1855 priority date. I respect the judgment of property owners who want a water right that is appurtenant to their property. But seeking a direct water right in the Montana Water Court would involve legal fees, and more importantly the outcome would be very uncertain. Even if granted a state water right, a property would have a later priority date and thus be subject to a call during water short years.

Second, the January 2013 version of the WUA provides more water for the Project as a whole and includes provisions that give me reasonable assurance that my farm, and also other farms, will continue to receive water deliveries consistent with historical flows. Under the WUA, instream flow increases would be phased in as more water is made available to the Project. If the WUA is rejected I believe the Tribes would seek to achieve their instream flow objectives up front. Irrigators would have to wait for major Project improvements.

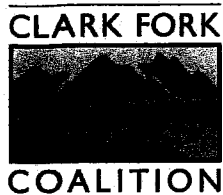
Third, rejection of the WUA would result in much higher annual operating and maintenance fees (O&M). Without the net power revenues and the low cost block of power provided for under the WUA, O&M costs would be at least four dollars an acre higher. Without the potential state funding provisions in the WUA, O&M fees will need to be increased to cover any additional pumping costs on the Flathead River.

Fourth, rejection of the WUA also would mean a loss of state and federal funds to support much needed rehabilitation and betterment (R&B) projects. I believe that the Project would need to impose, at a minimum, a ten dollar per acre R&B fee to fund projects necessary to meet environmental requirements. Much higher R&B fees would be needed to implement project improvements necessary to achieve the WUA farm turnout and measured water use allowances.

There are important issues in the WUA that need to be resolved and the sooner the better. Also, the Project faces many uncertainties and challenges in the future, especially with respect to environmental requirements. Thus farmers and ranchers need to pay much closer attention than in the past to the work of the FJBC and the CSKT-FJBC Cooperative Management Entity (CME) that now manages the Project.

I sum, I believe continued negotiation and cooperation between the FJBC and the Tribes is a better way to protect irrigation water for farmers and ranchers than a return to litigation and conflict. It is also the best way to continue to reduce the role of the Federal government on this irrigation project.

Dick Erb  
Moiese



January 18, 2013

Chris Tweeten, Chairman  
Montana Reserved Water Rights Compact Commission  
2705 Spurgin Road, Building C  
Missoula, MT 59804  
dnrcwrcc@mt.gov

SENT VIA EMAIL

Re: Proposed Compact – Confederated Salish and Kootenai Tribes

Dear Chairman Tweeten:

Thank you for the opportunity to provide comments to the Reserved Water Rights Compact Commission (Commission) on the proposed water rights Compact negotiated among the State of Montana, the United States and the Confederated Salish and Kootenai Tribes (CSKT). The Clark Fork Coalition (Coalition) believes the Compact is a practical settlement that balances the legal obligations of the State of Montana to resolve the water rights reserved by the CSKT with the State's obligation to protect existing water uses and provide for expanded water use and growth for future generations in western Montana. As such, the Coalition supports the Compact, and urges the Commission to approve it and send it to the Legislature for ratification.

The mission of the Coalition is to protect and restore the Clark Fork watershed. We advance our mission in a number of ways, one of which is working closely with landowners in the basin to develop stream restoration projects that restore degraded riparian habitat and that keep streams flowing. In that capacity, we work regularly with irrigators in the Upper Clark Fork basin, and have heard their concerns about one specific aspect of the Compact: how the conversion of the former Milltown hydropower right to instream flow will affect their individual operations. The Coalition also has concerns about how the management of this instream right will play out, since working out the details of making call – and mitigating the impacts of a call – will be quite challenging and potentially expensive.

However, we believe it is important to remember that the state's litigation settlement with ARCO mandated changing the Milltown right to instream flow. Even if the Milltown right was *not* included in the Compact to satisfy the CSKT's off-reservation claims in the Upper Clark Fork, landowners would still be faced with having to meet an instream flow target of up to 2,000 cubic feet per second (cfs). We believe the way the Compact proposes to constrain the use of the Milltown right (decreasing the enforceable flow rate to 500 cfs at Turah) will mitigate most impacts to agricultural water users in the Upper Clark Fork.

The Coalition also appreciates the ten-year deferment on implementing enforcement of the Milltown right. The Coalition believes that the irrigators in the Upper Clark Fork are in the best position to develop a workable plan for meeting the flow target. Our experience working with water rights and irrigators across the basin

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tells us that any water management changes will benefit streams and rivers *only if* the changes work for agricultural water users on the ground. In addition, we are hopeful that the millions of ARCO Natural Resource Damage settlement dollars set to be invested over the next decade on instream flow projects in the Upper Clark Fork will also help to mitigate potential impacts to Upper Clark Fork irrigators from enforcing the Milltown instream flow right.

On the whole, we commend the state, federal and tribal negotiating teams for bringing forward an agreement that is a solid compromise. The nature of any compromise is that everyone does not get what they want, but the goal here was to meet everyone's needs to the most practical extent given the competing demands for finite water resources. The Coalition applauds the transparent public process, the detailed hydrologic studies and the lengthy negotiations, all of which have resulted in a settlement that will work for the people and waterways in our basin.

The proposed Compact strikes a practical balance between providing the CSKT the water rights to which the Tribes are entitled and protecting existing water rights that landowners rely upon for their livelihoods. If the Compact is not ratified, Montanans will be left with uncertainty – and likely decades of costly litigation – regarding how to manage and use water in western Montana. In fact, the very real potential for the CSKT to assert and prove water right claims on and off the reservation for 1855 water rights would cause severe disruption and hardship for irrigators, municipalities, and many other water users in the Clark Fork basin.

The proposed Compact is a better alternative. Ratifying this Compact is in the best interest of all Montanans – on and off the Flathead reservation – and will ensure more certainty on using water in western Montana in the future.

Thank you for considering our comments. The Coalition appreciates the effort put forth by the three negotiating teams, and we look forward to finally settling water right claims on the Flathead reservation.

Sincerely,



Karen Knudsen  
Executive Director

cc.    Confederated Salish and Kootenai Tribes  
      United States Department of Interior  
      Senator Jon Tester  
      Senator Max Baucus  
      Congressman Steve Daines  
      Governor Steve Bullock

Gerald Mueller  
440 Evans  
Missoula, MT 59801  
(406)543-0026

December 21, 2012

Mr. Chris Tweeten, Chair  
Montana Reserved Water Rights Compact Commission  
2705 Spurgin Road, Building C  
Missoula, MT 59804

Dear Chris:

I write to urge the Reserved Water Rights Compact Commission (RWRCC) to approve the Confederated Salish and Kootenai Tribes Compact (Compact) for submission to the Montana Legislature. I served as the facilitator for two statutory watershed management groups whose members by statute were broadly representative of their respective basins, the Clark Fork River Basin Task (Task Force) and the Upper Clark Fork River Basin Steering Committee (Steering Committee). I served in this capacity from their beginning through 2011: from 2001 to 2011 for the Task Force and from 1991 to 2011 for the Steering Committee. Both groups focused on issues addressed by the draft Compact. However, so that there is no misunderstanding, I write as an individual, not as a representative of either group or any agency or organization.

I urge approval the draft Compact because I believe it will benefit Clark Fork basin water management and water users. I will highlight and discuss three ways that the draft Compact will provide this benefit: it addresses what the Task Force identified in a series of annual reports to the Environmental Quality Council (EQC) and the Interim Water Policy Committee (IWPC) as the most important water management issue in the Clark Fork River basin; it quantifies the Confederated Salish and Kootenai Tribes (CSKT) reserved water rights on and off of the CSKT Reservation with a minimum of potential disruptions to existing water uses; and it provides for local administration of water rights on the Reservation.

#### **Basin Water Management Issue**

The 2010, 2011, and 2012 reports submitted by the Task Force to the EQC and the IWPC identified the lack of water reserved for future use in the Clark Fork to be "the most important water management issue in the basin." This lack coupled with lower basin hydropower water rights which use almost all of the Clark Fork River flows all of the time means, again quoting from the legislative reports, "...that the legal availability of water for new water rights to support new or expanded water uses in the basin is questionable and water uses based on right rights junior to the hydropower rights are at risk to a water right call most of the time."

The *Clark Fork Basin Watershed Management Plan*, adopted by the Task Force in September 2004, identified water stored in Hungry Horse reservoir as the possible solution that could both provide for new uses and increase the security of water uses based on water right junior to the hydropower rights. At the request of the Task Force, the 2007 Legislature took a series of steps aimed at implementing this solution. First, it passed HJR 3 which "...urged the Montana Department of Natural Resources and Conservation (DNRC) to enter into negotiations with the United States Bureau of Reclamation to determine the availability and cost of water stored

behind Hungry Horse dam for which the State of Montana might contract to support future water development and existing water use in the Clark Fork river basin." Second, it modified state statutes to authorize the State to contract for up to 1,000,000 acre-feet of water stored in federal reservoirs in Montana and to lease that water to water users in the basin of the reservoir. Finally, it appropriated \$260,000 to pay for the first step in the Hungry Horse contracting process. The first step was a reallocation of costs of the Hungry Horse project to include municipal and industrial uses (M&I). This step was necessary because the original 1960 cost allocation of Hungry Horse water did not include M&I.

While the Bureau of Reclamation completed a draft report on the cost reallocation, it also indicated that completing the cost reallocation and ultimately a contract with the State for Hungry Horse water would take \$1 to 2 million and several years. In addition, the CSKT requested a block of Hungry Horse water as a part of the Compact negotiations. The State of Montana therefore opted to pursue Hungry Horse water through the compacting process rather than a Bureau of Reclamation contract.

The draft Compact does in fact reserve a significant block of Hungry Horse water for basin consumptive and non-consumptive uses thereby providing the means for orderly development of water and for increasing the security of existing water rights in the basin. The draft Compact authorizes the CSKT to withdraw 229,383 acre feet per year from the Flathead River or Flathead Lake, including up to 90,000 acre feet per year stored in Hungry Horse Reservoir, with a maximum total volume consumed of 128,158 acre feet per year. Subject to biological constraints to protect native and downstream anadromous endangered or threatened fish, the CSKT may use this water to meet instream flow and consumptive use needs on the Reservation and may lease this water to water users on or off of the reservation. In Article 4, Section 7, of the draft Compact specifically requires the CSKT to make available for lease off the Reservation 11,000 acre-feet per year of the water stored in Hungry Horse "...for the mitigation of net depletions arising from new or existing domestic, commercial, municipal and/or industrial (DCMI) uses of water at any point in the Flathead or Clark Fork basins for which the 11,000 acre-feet per year of water is capable of providing mitigation." It establishes a process for obtaining access to the 11,000 acre-feet and the price that the CSKT must charge for it. The initial price is \$40 per acre-foot with a prescribed escalation thereafter. It also provides that the DNRC retains the responsibility for determining if, when, where, and how much mitigation water is needed for any proposed new development and if the water meets appropriate mitigation criteria for any given proposed mitigation plan.

The 11,000 acre-feet for mitigation is less than the maximum amount of 100,000 acre-feet requested by DNRC to be reviewed by the Bureau of Reclamation in the Hungry Horse cost reallocation report. The 100,000 acre-feet was based on a DNRC analysis of the maximum amount of water that might be used in the basin over the next 50 years. However, for basin water use, this difference is not as significant as it first appears. The State has determined that 11,000 acre-feet would meet new water uses in Flathead County over the next 50 years, including water for 3,000 to 5,000 new houses. For the foreseeable future, the CSKT will not likely have a use for their entire 90,000 acre-feet per year Hungry Horse allotment; additional stored water will therefore likely be available beyond the 11,000 acre-feet for lease for non-tribal



consumptive uses.

The initial price for the 11,000 acre-feet of Hungry Horse water is similar to the \$35 per acre-foot price for new consumptive and instream uses in a recent contract between the Bureau of Reclamation and the State of Washington for 132,000 acre-feet of water from Lake Roosevelt.

The reservation of Hungry Horse water in the draft Compact for Clark Fork basin consumptive uses is critical to Clark Fork basin water management for two reasons. First, the States of Washington and Oregon are seeking on the order of one million acre-feet of additional water from the Columbia River for instream and consumptive uses. Second, in 2024 the existing flood control mechanism in the Columbia River Treaty may change. Hungry Horse and Libby dams provide about 40% of the storage on the Columbia River system in the US. Additional downstream commitments of Columbia River water and/or changes to system flood control operations would likely affect the operation of both Hungry Horse and Libby dams. Presently, Montana consumptive water use is not a factor in Hungry Horse operations. Once the Compact is ratified by the US, the allocation of Hungry Horse water to the CSKT will become a constraint on Hungry Horse operation. While some basin water users may prefer not to access Hungry Horse water through the CSKT, the Compact will ensure the availability of water for consumptive uses in Montana.

#### **Quantification of the CSKT Reserved Water Rights and Protection of Existing Water Uses**

CSKT water rights exist on and off of the Reservation as a result of the Hellgate Treaty of 1855. The draft Compact quantifies and therefore resolves uncertainty around these rights in a manner that minimizes the disruption to existing water uses. The draft Compact ensures that Kootenai and Clark Fork basin non-irrigation water rights cannot be called because of CSKT water rights on or off of the reservation. RWRCC staff have explained why, except for the Upper Clark Fork portion of the Clark Fork basin, irrigation based on existing water rights will not likely be interrupted because of the draft Compact provisions. Upper Clark Fork irrigation has the potential for interruption because of the Milltown Dam water rights which will be changed through the compacting process from the existing instream beneficial use, hydropower production, to a new instream beneficial use, the fishery. The changed Milltown water right will be co-owned and co-managed by the CSKT and the Montana Department of Fish, Wildlife and Parks (FWP).

The Compact, per se, did not create the potential for the call. The State of Montana took ownership of the Milltown rights from NorthWestern Corporation to settle natural resource damage claims under the federal Superfund Law. The State's intent was to use the changed rights to benefit the fishery. Thus, the potential for a call would exist without a CSKT water rights compact. The draft Compact does two things regarding the Milltown rights. It specifies the conditions under which potential for call can occur and allows either CSKT or FWP to issue the call.

The Upper Clark Fork River Basin Steering Committee examined the significance of the Milltown Dam water rights to upper Clark Fork water management in a 2007 paper entitled "Milltown Dam Water Right Paper." The Steering Committee presented paper to legislative committees and other public forums. The paper posited setting sub-basin targets and allowing

sub-basin water users to develop a drought plan to meet the targets as one approach to implementing the Milltown rights changed from a hydropower to fishery beneficial use.

This is the approach taken in the draft Compact. The draft Compact sets separate enforceable flow levels for the Blackfoot and upper Clark Fork sub-basins and suspends enforcement of the water right for a ten-year period beginning with the ratification of the Compact by the Montana legislature during which the CSKT and FWP must "...engage with other stakeholders in the Upper Clark Fork Basin on water management subjects including, but not limited to, drought planning and the exercise of this water right in conjunction with the other water rights in the Basin." Blackfoot sub-basin water users, under the leadership of the Blackfoot Challenge, have developed and operated a drought plan. The draft Compact offers upper Clark Fork a similar opportunity to respond to water shortages in the manner they choose.

Thus, in the one area of the Clark Fork and Kootenai basins in which it may affect existing irrigation water rights, the upper Clark Fork, the draft Compact follows the 2007 suggestion of the Upper Clark Fork River Basin Steering Committee to engage local water users in developing a plan for responding to the low water conditions under which irrigation water rights junior to the Milltown water rights might be called.

#### **Local Administration of Reservation Water Rights**

My third reason for supporting submission of the draft Compact for consideration by the Montana legislature is that it and the accompanying Unitary Administration and Management Ordinance (Ordinance) provide for local administration of water rights on the Reservation by the Flathead Reservation Water Management Board (Board), Water Engineer and the Office of the Engineer. Under the draft Compact, the Board is the exclusive regulatory body on the Reservation for the issuance of new water rights, changes to existing water rights, and the administration and enforcement of all water rights and existing water uses.

The authority granted to the Board and the Water Engineer to administer and enforce water rights on the Reservation exceeds that of the DNRC in enforcing and administering water rights throughout the rest of the state. This authority is important because it would benefit Reservation water users. In a July 2008 publication entitled *Managing Montana's Water: Challenges Facing the Prior Appropriation Doctrine in the 21st Century*, the Task Force discussed DNRC's authority and role in administering and enforcing water rights. It stated:

DNRC is not the state's water cop. It plays a limited role in enforcing pre-1973 water rights. Since the passage of the 1973 Water Use Act, it can seek to enforce water right permits by filing actions in district court. However, because of staffing and funding limitations, DNRC has almost never used its authority to go to court.

The paper also found that:

The Because of Montana's reliance on the judicial system and contested case administrative processes, the burden on individual water users to adjudicate, enforce, protect, and make changes to existing rights can literally take years and tens of thousands

Chris Tweeten  
December 17, 2012  
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of dollars. This burden is increasingly problematic for traditional water users such as farmers and ranchers.

The authority and processes specified in the draft Compact and Ordinance for Board and Water Engineer will make water right administration and enforcement easier and more affordable for Reservation water users.

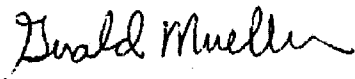
Members of the Board must be residents of the Reservation. Two members will be appointed by the Confederated Salish and Kootenai Tribal Council, two by the Governor of Montana, and one by the other four members or, if the other four cannot agree, by a federal district judge. This method of appointment provides accountability to both the CSKT and the state. It provides local control of water right administration that does not exist elsewhere in the state.

#### **Summary**

RWCC staff have argued that the alternative to a CSKT Compact will be lengthy and expensive litigation. While I agree with this assessment, as I have just discussed, I see significant benefit from the draft Compact to Clark Fork River basin water management and water users. The draft Compact will legally set aside water for future consumptive use in the basin and for increasing the security of water uses based on water rights junior to lower basin hydropower rights. The draft Compact will resolve uncertainty regarding CSKT on- and off-reservation water rights in a manner that minimizes potential disruption to existing water use. And for Reservation water users, the draft Compact will create a local and efficient water right administration and enforcement mechanism superior to that available to other areas of the state. I urge the RWCC to approve the draft Compact and submit it to the 2013 legislature for its consideration.

Thank you.

Sincerely,

A handwritten signature in cursive script, appearing to read "Gerald Mueller".

Gerald Mueller



February 21, 2013

Chris Tweeten, Chairman  
Montana Reserved Water Rights Compact Commission  
2705 Spurgin Road; Bldg C  
Missoula, MT 59804

RE: Proposed Water Rights Compact entered into by Confederated Salish and Kootenai Tribes (CSKT), State of Montana, and USA

Dear Mr. Tweeten,

The Missoula City-County Board of Health and the Missoula Valley Water Quality District Board have reviewed the *Proposed Water Rights Compact entered into by the Confederated Salish & Kootenai Tribes, the State of Montana, and United States of America* of November 8, 2012. We believe this Compact will be a benefit for water quality, public health and the communities of the Clark Fork and Flathead River watershed. We support the Compact for the following reasons:

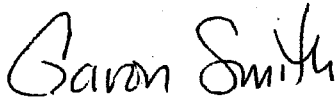
- The Compact would establish minimum enforceable stream flows of 500 cubic feet per second for the Clark Fork River at Turah and 700 cubic feet per second for the Blackfoot River at Bonner.
- These Minimum enforceable streamflows in the Clark Fork are critical for municipalities in the watershed to discharge treated wastewater effluent and meet discharge permit effluent limits. Adequate instream flows dilute pollutants discharged by municipalities, industrial discharges, urban and rural stormwater runoff, agriculture and non-point source of pollution. These pollutant sources will increase as our population grows. In the absence of minimum enforceable stream flows, lower summer river flows may necessitate very expensive investments by taxpayers in cities and towns to provide advanced wastewater treatment.
- Maintaining instream flow ensures continued recharge to the Missoula Valley Sole Source Aquifer, the only affordable source of drinking water for City and County residents in the Missoula Valley from Bonner to Huson. Seasonal low water conditions for private and public domestic drinking water wells in the Missoula Valley are closely tied to the hydrograph of the Clark Fork River. The Compact would prevent streamflow depletion and impacts on the use of domestic drinking water wells, protecting the interests of all residents in the Missoula Valley.

Chris Tweeten, Chairman  
Montana Reserved Water Rights Compact Commission  
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- Maintaining minimum instream flow is critical to native fish and the aquatic ecosystem, and will lessen the impact of rising water temperature in these watersheds during periods of drought.
- The Compact provides for a 10-year deferral period for enforcing the Milltown instream flow water right in the Clark Fork and Blackfoot watersheds. This deferral gives irrigators in the Blackfoot and Upper Clark Fork who hold water rights junior to the December 11, 1904 Milltown water right added time to plan and implement appropriate and practical drought management plans that will protect the river and the interests of water users.
- The Compact provides funds for irrigation system improvements, habitat protection and improved irrigation efficiency for the Flathead Irrigation Project, which will benefit water quality and aquatic life.
- The Compact provides leasable water from Hungry Horse Reservoir, which may be used to mitigate impacts to instream flow while allowing continued residential, commercial, and industrial development in these watersheds.
- Negotiation of this agreement has involved concessions from all parties, in particular the Salish and Kootenai Tribes, and avoids the costs and risks of litigation, thereby putting these cost savings into infrastructure, habitat, and water quality improvements for the area.
- If this agreement is not approved by the Montana Legislature, the Confederated Salish and Kootenai Tribes, and the United States Government, all benefits resulting from the Compact will be delayed, additional significant costs of litigation will result, and the final outcome will not be likely to include many of the most important economic and natural resource benefits for all parties.

We hope the Montana Legislature will consider these benefits for the people of Missoula County, and the State of Montana.

Sincerely,



Garon Smith, Chairman  
Missoula City-County Board of Health  
Missoula Valley Water Quality District Board

cc: Missoula Legislative Delegation



Main Office

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8 December 2012

**RECEIVED**

**DEC 17 2012**

Chris Tweeten, Chairman  
Montana Reserved Water Rights Compact Commission  
2705 Spurgin Road  
Building C  
Missoula, MT 59804

Re: comments on draft compact

Dear Chris:

Thanks for the opportunity to comment on the draft water compact for the Confederated Salish and Kootenai Tribes. These negotiations have been very complex, and we greatly appreciate the tireless efforts of all three negotiating teams. We especially appreciate the patience and professional demeanor displayed by all parties in their communications with the public. Primary spokespeople such as you, Clayton Matt, Rhonda Swaney, Seth Makepeace, John Carter and Jay Weiner have done an exemplary job explaining complicated and arcane principles to the public.

Montana Trout Unlimited supports the November 8, 2012, draft document, with one proposed modification for the Milltown water right that we explain below. With this draft, the negotiating teams have achieved the common objective of ensuring existing water users are not harmed. Though there are still some wrinkles to be ironed out in the pending water agreement affecting water users in the area of the Flathead Indian Irrigation Project, the draft agreement insulates all other legitimate water users from adverse impacts. It is important to note that though much of the focus of the agreement has been on protecting existing interests, not enough has focused on the significant benefits the agreement will have for tribal and nontribal interests. For instance:

- The agreement will result in significant investments in water use infrastructure on the reservation, benefitting both tribal and non tribal water users;
- The agreement produces legal certainty for those interested in future development requiring water in the Flathead region, including new irrigation, real estate development, hydroelectric generation and recreation;

- Implementation of the agreement will produce new and productive partnerships that will focus on the common objective of making water go farther for more uses – an important objective in the face of a shifting climate;
- A fully ratified agreement will prevent years of expensive litigation among private, government and tribal interests over water rights; and,
- Importantly, some of the instream flow measures in the agreement help the State of Montana meet its trust responsibilities to all Montanans for maintaining healthy fish and wildlife populations on and off reservation.

Those who believe this agreement is a one-sided affair favoring tribal interests are mistaken. In the spirit of cooperation and settling seemingly intractable disputes over water, the tribes, in our view, have relinquished significant, legitimate claims. Montana Trout Unlimited is disappointed that a number of elements from previous drafts, most put on the table by the State of Montana, have been dropped in order to accommodate public critics. These include:

- Enforceable hydrographs previously proposed for tributaries of the Swan, Kootenai and Clark Fork Rivers. The flows these proposals would have protected were very conservative, would have helped protect public fish, including listed bull trout, and included ample exemptions to accommodate significant development. They simply would not have been a burden to existing water users or stymied future development.
- Basin closures on O'Brien and Graves Creek in Lincoln County. We are baffled as to why local politicians and water users in Lincoln County did not understand the wide-ranging benefits of these State-proposed measures. Both streams are already over-appropriated and the proposed closures did not convey any rights or special authorization to the tribe. Importantly, the closures would have protected existing users, such as the City of Troy and irrigators in the Glen Lake area from new appropriators. The basin closures would potentially save existing users the expense of defending their water rights from new users. Locals who opposed the basin closures essentially argued against their own interests.

We are also disappointed that concepts we floated, but perhaps inadequately, were not considered. They included providing the tribes similar water right mechanisms enjoyed by FWP, such as the ability to purchase water rights on or off the reservation from willing sellers so they could be converted to permanent instream flow rights, but still subject to objections under the prior appropriation doctrine. Another potential tool we suggested was creation of dual-purpose water rights that would allow consumptive rights to be shifted to instream flow rights

temporarily without triggering an exhaustive change-of-use process during drought years, but mainly in basins that have voluntary drought management plans or where imperiled aquatic species are managed under a Candidate Conservation Agreement or Habitat Conservation Plan. We hope the State and Tribes are open to these and other suggestions as part of future water management administration.

We continue to be disappointed -- but respect the tribes' perspectives -- with the exemptions from call, including all water rights associated with non-irrigation uses, as well as all irrigated and non-irrigated groundwater sources that do not exceed 100 gpm. It is entirely conceivable that the cumulative effect of multiple wells each using up to 100 gpm for residential or industrial development could deplete key tributaries important for fish, including native bull trout or cutthroat trout.

### **On Reservation Proposals**

The tribes' proposals for instream flow on reservation are well thought out and emulate successful approaches used elsewhere in Montana. Protection of headwater sources (the "natural nodes") will help ensure water continues to be available to existing downstream users, and it stems the threat of future appropriators complicating life for existing users. The instream flow proposals for streams in the FFIP (the "FIIP nodes") are especially well done because they largely require investments in the efficiency of irrigation infrastructure for freeing up conserved water for aquatic communities. Montana TU and its partners in cooperative projects have used this model across the state. Finally, the instream flow proposals for non-FFIP streams ("other instream flows") are very conservative, depending solely on water that could be available as a result of adjudication. Implementation of the instream flow proposals on the reservation reinforces the objective of not harming existing valid water rights. Further, maintaining the existing "interim instream flows" until the Compact water rights are enforceable is both fair and equitable, and consistent with *Joint Board of Control v. United States* (1988).

The dedication of 90,000 acre-feet of stored water from Hungry Horse Reservoir for the tribes, and the sideboards on where and how it will be marketed, also meets the objective of not harming existing water rights. This element, in fact, can benefit existing users by making available a pool of water not currently available for supplementing existing uses.

Though it has created undue heartburn with some folks on and off the reservation, the composition of the proposed Water Use Board, in our view, makes great sense. It balances the potential of both tribal and nontribal interests. Using the district court to resolve unresolved perspectives on who should be the fifth member of the board provides confidence that the choice will be unbiased.



Regarding the bulk of the draft Unitary Administration and Management Ordinance, Montana Trout Unlimited respect the ability of the tribes and Joint Board to reach consensus on the specific tools and procedures that are best for managing water use on the reservation. We do believe, however, this could provide more expeditious and efficient administration and adjudication than is available under the current State of Montana water rights administration and adjudication systems.

### **Off Reservation Proposals**

Montana Trout Unlimited supports the proposed instream flow rights for the tribes for the Swan, Kootenai and Clark Fork Rivers. But it should be noted that these rights, even with a time immemorial priority, provide little additional benefits from the current conditions for instream flows. Because these rights are subordinate to, among other things, FERC requirements, COE flood control constraints and ESA-directed biological opinions, the tribal rights are significantly constrained. Further, because the compliance points are so far downstream – and in the case of the Swan below the lake which is below key tributaries – the potential for a call will be remote.

We support the proposals for co-ownership of FWP recreational use water right claims, as well as stored water from Painted Rocks and Como Lake Reservoirs. The added value these proposals represent is not entirely clear, but it is possible this could bring to bear more resources for effective management.

### **Milltown Water Rights**

Co-ownership of the Milltown water rights, and conversion from a hydro right to an instream flow right, is a very good idea. Montana Trout Unlimited recommends, as we have in the past, tweaking the proposal relative to the enforceable component of this right. A more appropriate discharge below the confluence of the Clark Fork and Blackfoot that triggers a call should be 1,300 CFS, with 700 CFS coming from the Blackfoot, and 600 from the Clark Fork. This is why:

- FWP's Murphy Right for the Blackfoot is 700 CFS. This is based on wetted perimeter data indicating an appropriate flow to maintain a good-quality fishery. FWP's 1985 water reservation request for the Clark Fork at Turah was 600 CFS, the wetted-P upper inflection point for maintaining a good-quality fishery in the Clark Fork. And so, the professionals with the most experience in managing fisheries in the Clark Fork and Blackfoot have determined empirically the most appropriate flows for maintaining the fishery. The negotiating teams should recognize this.
- It is important to note that the wetted-P method for determining flows for maintaining fisheries focuses primarily on a single habitat element – maintaining wetted riffle-areas for food production. Wetted-P measurements

do not consider the value of underbank rearing areas, which are important for some species that use the Clark Fork and Blackfoot, as well as pools, which are crucial for security, overwinter habitat and thermal refuges in summer. Flows based on wetted-P are not ample for channel maintenance or for mobilizing sediment. Importantly, they do not ensure habitat complexity, nor do they necessarily provide for cool, well-oxygenated water, which can be in short supply in the Clark Fork in the summer. Further, these flows do not necessarily provide adequate temperature buffer to accommodate climate change, which USGS data in the Clark Fork watershed indicates is resulting in warmer summer temperatures, including more frequently levels that fall within the chronic and acute ranges that harm wild salmonids. In sum, 1,300 CFS at Bonner, with 700 CFS from the Blackfoot and 600 from the Clark Fork is really a minimal instream flow for maintaining a good quality fishery. Any enforceable flow level below this threshold intimates significant risk to the fishery.

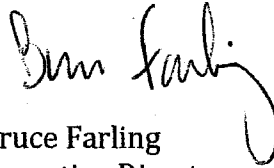
- Montana Trout Unlimited's proposed enforceable flow level can be accommodated with minimal risk to existing users upstream. Already the Blackfoot watershed has a voluntary drought system in place that includes an early warning mechanism and triggers for water user cooperation. The objective, when water is available, is to meet FWP's Murphy Right at Bonner. Important to consider for the upper Clark Fork is this: No other river in Montana has the potential for significant investment in improved irrigation efficiency. The restoration plan for the upper Clark Fork overseen by Montana's Natural Resource Damage Claim Program recommends investing more than \$20 million from the Clark Fork restoration fund in irrigation efficiency that frees up conserved water for instream flow enhancement. The potential for significant projects, such as dedicating stored water from the Warm Springs Creek drainage to instream flows, or, freeing up water through investment in scientifically based irrigation measures in the Little Blackfoot or Flint Creek basins is significant. Further, our suggestion provides incentive for creating an instream flow market among existing senior water right holders who will not be affected by a call at Milltown.
- The target we recommend at Milltown is currently met most years in most months when conditions in the basin can naturally yield these flows after senior water rights are satisfied. Further, the phase-in of when the tribes or FWP could call on the enforceable right at Milltown is of significant duration – 10 years after State of Montana ratification – that there will be time to develop, implement or refine drought plans for the Clark Fork and Blackfoot. A call, if it ever occurs, certainly will not occur anytime soon.

We recommend the draft Compact be amended to include our suggestion for the enforceable flow right at Milltown. Certainly under no circumstances should it be further reduced from that proposed in the current draft agreement.

Montana Trout Unlimited appreciates the State, federal government and tribes considering our observations and suggestions. As written, but preferably with the Milltown improvement we recommend, Montana TU will actively support the Compact should the 2013 Montana Legislature take it up.

Thanks for the opportunity to comment.

Sincerely,

A handwritten signature in dark ink, appearing to read "Bruce Farling", with a stylized flourish at the end.

Bruce Farling  
Executive Director

cc. Confederated Salish and Kootenai Tribes  
United States Department of Interior  
Senator Jon Tester  
Senator Max Baucus  
Congressman-elect Steve Daines  
Governor-elect Steve Bullock

February 25, 2013

Montana Reserved Water Rights Compact Commission  
POB 201601  
Helena, MT 59620-1601

Dear Commission,

I would like to take a moment to introduce myself and my wife. We are Paul and Carlisa London, owners and operators of the Polson RV Resort and the Polson KOA campground. We have lived in Polson for 14 years. We purchased the Polson KOA in February of 2000, and in 2008 we began developing the Polson RV Resort. We have both been involved with our local chamber of commerce since 2000, and Paul has been on the board of directors. Paul is a member of Polson's Beautification Committee, Polson's Streetscape Committee and regularly attend the Polson City Council meetings. Paul has also been on the Glacier Country Board of Directors since 2003. We strongly support our local community and region. Our business is dependent upon tourism. We have guests come from all over the world. We also have a gift store that is supported by our guests and the local community.

We support the agreement on compacting. It's time to move forward and create some certainty to our future. With the time and energy invested by both the state and tribe, it would be a major disappointment not to come to an agreement now. We appreciate the time and energy that the committee members have put into this agreement. You have helped bring this situation to a good resolution for everyone and we commend you for that.

Coming together on this compact agreement will be huge for business. It gives us all the opportunity to move forward and promote more businesses coming here, which in turn creates jobs, sells houses and so on.

Thank you for your time and support on this important issue.

Sincerely,

A handwritten signature in cursive script that reads "Paul & Carlisa London". The signature is written in dark ink and is positioned above the printed name and address.

Paul and Carlisa London  
Polson RV Resort, LLC  
200 Irvine Flats RD  
Polson, MT 59860



OFFICE OF THE MAYOR

435 RYMAN MISSOULA, MONTANA 59802-4297 (406) 552-6001

RECEIVED

JAN 29 2013

D.N.R.C.

January 25, 2013

Chris Tweeten, Chairman  
Montana Reserved Water Rights Compact Commission  
P.O. Box 601201  
Helena, Montana 59620-1601

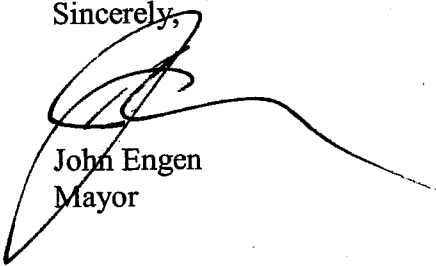
Re: Proposed Water Rights Compact entered into by CSKT, State of Montana, and USA

Mr. Tweeten:

The City of Missoula would like to express its support for the *Proposed Water Rights Compact entered into by the Confederated Salish & Kootenai Tribes, the State of Montana, and United States of America* of November 8, 2012. The agreement defines minimum enforceable stream flows for the Clark Fork River at Turah and the Blackfoot River near Bonner. Stream flows are a critical component influencing in-stream nitrogen and phosphorus concentrations.

The City of Missoula has made a significant investment of over \$18 million in nutrient removal at its wastewater treatment plant; however a portion of the Clark Fork River (just below the confluence with the Blackfoot River) is still needed for dilution to meet in-stream limits. As the City grows, meeting in-stream standards and Total Maximum Daily Loads, both influenced by stream flow, will be increasingly difficult and costly. The compact creates and clearly defines minimum enforceable stream flows for the Clark Fork and Blackfoot Rivers which supports the city in its efforts to meet discharge and in-stream limits with the least impact to the taxpayers.

Sincerely,



John Engen  
Mayor

11/28/12 - From NMAR, Erica Wirtala

## **NMAR Position Statement for the Compact**

The Northwest Montana Association of REALTORS®, (NMAR) representing 675 REALTORS® in this area, supports adopting the Draft CSKT Water Compact and Unitary Management Ordinance for the Flathead Reservation Water Right Settlement as the best currently available process.

NMAR realizes that individuals and entities do not have any power or influence over the negotiation of amounts of water designated for specific uses or users, but that without the Compact, no one, (either tribal or non-tribal) will have water rights without decades of expensive and untimely litigation.

The Compact establishes an organization to process existing water rights and for landowners to apply for future water rights. Instream water rights that are being claimed by the CSKT off the reservation are a protection of minimum stream flows which also establish at least some limitations on the right to "call" junior irrigation right holders.

NMAR is concerned with the establishment and administration of the Water Management Board that administers the Compact and Ordinance on the Reservation. It would be beneficial to the passage of the Compact if timelines, schedules, rules of administration and function were to be included within the document. For example, the Compact should provide that 1). pre-application meetings must be scheduled within 15 days of receiving a request; 2). an applicant has a right to receive the report presented to the Board prepared by the staff engineer; 3). there be provisions to provide opportunities for mitigation including specific procedures and criteria; 4). And that the Compact provide a timeline for re-applying for a request, a fee schedule, etc.

Despite NMAR's concerns regarding how the Management Board will be administered, NMAR recognizes that NOT passing the Compact would be devastating to real property rights in all NW Montana. Having a Compact in place will be more beneficial to property owners and water right holders than the current cloud of uncertainty or the potential of Federal Court litigation.

Thank you for your kind consideration of these comments.

**Hoeglund, Sonja**

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**From:** rflyguy@aol.com  
**Sent:** Wednesday, December 19, 2012 2:28 PM  
**To:** DNR RWRCC  
**Cc:** rmckonald@cskt.org  
**Subject:** Water Flow

Dear Chris,

It's great to learn that after many many years of negotiations The state of Montana, Federal Govt. along with the Confederate Salish and Kootenai Tribes have fianlly come to a mutually satisfactory agreement to insu:re that non tribal waters are protected. Hope you and the commission will give the Tribes a pat on the back for dropping their claims for non Tribal waters thus beginning the insurance of fishing in our popular waters.

There is one slight additiona yet extremely important change that the tribes should consider adapting. That is the increase of the water flow from 1200cps to 1300cps.. Considering what has been dropped this final reequst should not be asking too much but will result in an immense increase in the survival rate of trout on non Trbal waters. I hope this increased water flow will be brought to everyones attention and that the Tribes will be greatly praised for their help in bringing this critical request to fruition.

Best Regards,

Robin Poole

27 Greenbrier Ln  
Missoula,

1-406-542-2797

**Hoeglund, Sonja**

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**From:** Jan Bertelsen-James [jujyfrt@eurekads1.net]  
**Sent:** Wednesday, December 19, 2012 6:53 AM  
**To:** DNR RWRCC  
**Subject:** Proposed Confederated Salish & Kootenai Tribes-Montana Water Compact

First off, let me congratulate your efforts on the Proposed Confederated Salish & Kootenai Tribes-Montana Water Compact matter. Ten years of negotiation is a long time and I am positive has required extensive labor. The mere fact that the United States and state governments have not honored obligations and promises to native peoples is far reaching and shameful. The issue of water rights reserved to the tribes through an 1855 treaty should be honored and I agree with you that it costs a lot more to go to litigation than compromise. I know the "no's" seem to be loud but know there are citizens such as myself that welcome compromise and feel this compact a solid one and fair for all involved parties, maybe even more so for us. As a Lincoln County resident, I know the loudness and rudeness of some of the conservative factions. I want to see this water compact brought to fruition. Are there other actions I could take to help this endeavor? Great job and good luck.

Sincerely,

Jan Bertelsen-James; Box 222; Eureka, MT 59917.



## Hoeglund, Sonja

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**From:** Hoeglund, Sonja [shoeglund@mt.gov] on behalf of DNR RWRCC [dnrrwrcc@mt.gov]  
**Sent:** Monday, December 17, 2012 7:59 AM  
**To:** Weiner, Jay; Chris Tweeten; Schultz, Bill (DNR)  
**Subject:** FW: CSKT Water Compact

-----Original Message-----

**From:** Edward Monnig [<mailto:emonnig01@gmail.com>]  
**Sent:** Sunday, December 16, 2012 7:40 PM  
**To:** DNR RWRCC  
**Subject:** CSKT Water Compact

Dear Mr Tweeten

Efforts to resolve water rights issues and to satisfy treaty obligations with various tribes have had a long and difficult history in the sat of Montana. Recently negotiators representing the State of Montana, the Federal Government and the Confederated Salish and Kootenai Tribes have reached a draft agreement that quantifies long-held tribal water rights on and off the Flathead Indian Reservation.

I support this agreement and urge you and the Montana Reserved Water Rights Compact Commission to approve and forward this agreement to the State of Montana for their approval.

This agreement has far-reaching benefits for the all citizens of Montana as well as the tribes by assuring in-stream flows to protect fish and wildlife that we all share as well as tribal treaty rights.

The tribes have dropped many claims to ensure that current non-tribal water users are protected and their reasonable stances should be acknowledged by all.

I urge you to do all you can to bring this effort to a speedy and successful conclusion

Sincerely  
Edward Monnig

## **Hoeglund, Sonja**

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**From:** Robert Prince [robertwaprince@gmail.com]  
**Sent:** Monday, December 17, 2012 8:11 PM  
**To:** DNR RWRCC  
**Subject:** CSKT Water Compact

Dear Chris Tweeten,

I am writing this e-mail to voice my support for the draft agreement reached between the State's negotiating team, and the Montana Reserved Water Rights Compact Commission, that quantifies long-held tribal water rights on and off the Flathead Indian Reservation.

- The tribes have dropped many legitimate claims to ensure that non-tribal water rights are protected. The tribes should be commended for this, and I would please ask the commission to consider doing so.
- The agreement helps further economic development in the region by providing certainty for necessary water development.
- The benefits of the agreement extend beyond reservations and the interests of tribal members. Non-tribal water rights will be protected.
- Instream flow proposals for the Jocko River, and the Flathead River system, will improve fisheries.
- Instream flow protection for the Kootenai, Swan, and Clark Fork Rivers will help ensure streamflows hold steady, even during drought conditions.
- I would like to voice my support for increasing instream flows from the former 2,000 CFS Milltown Dam water right from 1,200 CFS to 1,300 CFS, with 700 CFS from the Blackfoot and 600 CFS from the Clark Fork. The Milltown instream water right can be met with minimal impacts to existing upstream water users.

Thank you for your time and consideration on this important matter.

Sincerely,

Robert Prince  
Stevensville, MT

**Hoeglund, Sonja**

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**From:** Laura Ziemer [LZiemer@tu.org]  
**Sent:** Monday, December 17, 2012 3:24 PM  
**To:** DNR RWRCC; robertmc@cskt.org  
**Subject:** CSKT Water Compact

Dear Mr. Tweeten and Mr. McDonald,

I am writing in support of the CSKT Water Compact, because of the Tribes' pragmatic approach to protecting their interests, both on and off reservation. The draft proposal, however, for co-ownership between Montana FWP and the tribes of the former 2,000 CFS Milltown Dam water right needs to be improved. The amount of water that should be protected for instream flows should be 1,300 CFS instead of 1,200 CFS, with 700 CFS from the Blackfoot and 600 CFS from the Clark Fork. These instream flow rights can be approved so that they will be met over time, rather than enforced at once. Over time, the Milltown instream water right can be met without injury to existing upstream water users because the State of Montana will be investing millions of dollars of Clark Fork restoration funding into flow improvement. Please consider this important change.

Thank you for your consideration,  
Laura Ziemer  
317 North Ida Ave  
Bozeman, MT 59715

**Hoeglund, Sonja**

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**From:** Jay Melzer [jamelzer@gmail.com]  
**Sent:** Monday, December 17, 2012 12:51 PM  
**To:** DNR RWRCC  
**Subject:** CSKT Water Compact

I am writing to support the draft agreement on water rights reached between the federal government, the Kootenai and Salish tribes.

The agreement assures certainty about water availability and creates stability around water rights questions that extend beyond tribal waters and benefit a great many Montanans.

I urge that in order to protect fish in waters off the reservation that the in stream flows be increased from the proposed 1200 CFS to 1300 CFS, 700 CFS from the Blackfoot and 600 CFS from the Clark Fork, in order to protect fisheries.

Lastly the tribes have made concessions in order to arrive at this agreement, the commission should recognize the good faith and cooperation that they have shown.

Sincerely,

James Melzer  
681 Bobcat Lane  
Hamilton, MT 59840

**Hoeglund, Sonja**

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**From:** Peggy Ratcheson [pratches@gmail.com]  
**Sent:** Monday, December 17, 2012 12:11 PM  
**To:** DNR RWRCC  
**Cc:** Bob McDonald  
**Subject:** Re: CSKT Water Compact

Dear Mr. Tweeten and Mr. McDonald,

I am writing IN SUPPORT of the draft agreement of the CSKT Water Compact put together by the Federal Government, the State of Montana and the Confederate Salish and Kootenai Tribes that quantifies long-held water rights on and off the Flathead Indian Reservation. It is refreshing to know that at least SOME of our leaders are able to reach consensus on issues of importance!

Please forward my ensuing comments to the Montana Reserved Water Rights Compact Commission and enter them into the record.

As a current officer of Bitterroot Trout Unlimited, I have reviewed the present proposal and support it emphatically, especially in light of the many inaccurate and far-fetched comments of the opponents.

The draft agreement is well conceived. It protects the interests of all water users in the affected drainages, including non-tribal water-rights holders and users, and extends beyond reservation boundaries. Moreover, the instream flow protections will improve fisheries and promote water conservation both on and off the reservation.

I do, however concur with Montana Trout Unlimited's assessment regarding co-ownership between Montana FWP and the tribes of the former Milltown Dam water rights: 1,300 CFS, instead of 1,200 CFS, should be protected for in-stream flows with 700 CFS coming from the Blackfoot and 600 CFS from the Clark Fork. This can be done with minimal impacts to upstream water users, as the State of Montana invests in Clark Fork River flow improvement.

Thank you for the chance to input my opinion on this very important issue.

Sincerely yours,

Peggy Ratcheson  
121 Little Britches Drive  
Hamilton, MT 59840

December 17, 2012

Chris Tweeten

Montana Reserved Water Rights Compact Commission

Re: In-stream Flow Maintenance under Proposed Confederated Salish and Kootenai  
Tribes Water Rights Agreement

Dear Chairman Tweeten,

I would like to ask the Commission to approve the in-stream flow provisions requested by the Salish and Kootenai Tribes in the proposed water compact. There has been considerable effort for restoration of cutthroat habitat in the Jocko River. There have been tremendous efforts to recover the Clark Fork from the past century of mining and smelting impacts. However the recovering trout populations cannot be sustained if these rivers are excessively dewatered in low flow years.

I cannot quantitatively address the dollar value of water used for irrigation versus a high quality recreational trout fishery, but I am aware that trout fishing by out-of-state visitors and residents is a vibrant economic activity here in western Montana. Beyond dollars, as an ecologist and avid fly fisherman the recovery and long term maintenance of our fisheries is a highly valued aspect of my life here in Montana. From March through October I spend 40 or slightly more days on our rivers with a fly rod in hand.

It is my understanding that the fish biologists have determined that 1,300 CFS is the minimum required to maintain adequate fish numbers below the confluence of the Blackfoot and the Upper Clark Fork. People can adjust to how much water they draw from the rivers and how efficiently that water is used; but the fish have no where to go in the periodic low flow years. In addition to river recovery funds that have been invested to date there is more money earmarked for Clark Fork River conservation. To realize the anticipated fisheries and related ecological benefits we need to provide for adequate water flows.

Respectfully,

Peter M. Rice

340 S 2<sup>nd</sup> W

Missoula, MT 59801

[peter.rice@umontana.edu](mailto:peter.rice@umontana.edu)

**Hoeglund, Sonja**

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**From:** Scott Harmon [harmoniuswon@yahoo.com]  
**Sent:** Monday, December 17, 2012 10:24 AM  
**To:** DNR RWRCC  
**Cc:** robertmc@cskt.org  
**Subject:** CSKT Water Compact

Good afternoon,

I would like to let you know that I support the draft water rights agreement that has been negotiated by the concerned parties. Please do not be swayed by the wildly inaccurate rhetoric that is flying around.

Regards,

Scott Harmon  
1202 13th Ave E  
Polson, MT 59860

**Hoeglund, Sonja**

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**From:** Stephen Schombel [stephenschombel@bresnan.net]  
**Sent:** Monday, December 17, 2012 9:38 AM  
**To:** DNR RWRCC; robertmc@cskt.org  
**Subject:** Draft Tribal Water Accord

Montana Reserved Water Rights Commission Chris Tweeten, Chairman, and Robert McDonald

December 17, 2012

Gentlemen:

I am writing to voice support for the Draft Tribal Water Accord. As a sportsman and recreationist I'm in favor of the in stream flow protections included in this accord. Having measurable instream flow objectives will create additional benefits on the reservation and, hopefully could become more widely used. Instream flow protections off reservation will help keep water levels up over a wide area. Most important is to keep the instream flows from the former Milltown Dam as large as possible. 700 CFS from the Blackfoot and 600 CFS is the minimum necessary to protect the fishery in the rivers closest to my home town and where I recreate most often.

I'd like to thank the tribe for considering non tribal water users. I hope the Commission will resist weakening the Draft Accord to mollify those who are trying to erode Tribal treaty rights off reservation. You have done your job - submit a strong Draft Tribal Water Accord, and let the legislature solve these other issues.

Thank you,  
Stephen Schombel  
2200 Applewood Lane  
Missoula, MT 59801



## Hoeglund, Sonja

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**From:** Todd Tanner [todd.tanner@me.com]  
**Sent:** Monday, December 17, 2012 9:00 AM  
**To:** DNR RWRCC  
**Cc:** robertmc@cskt.org  
**Subject:** CSKT Water Compact

Hi Chris,

As a longtime angler and Flathead Valley resident, I want you to know that I support the draft agreement between Montana and the CSKT. We need to protect our fisheries and give bull trout and cutthroat trout a fighting chance. This draft agreement seems to be a good start down that road.

Best,

Todd Tanner

*Todd Tanner*  
178 Wolf Creek Ranch Road  
Bigfork, MT 59911  
406.837.6261  
[todd.tanner@mac.com](mailto:todd.tanner@mac.com)  
[www.CastingWest.com](http://www.CastingWest.com)



December 17, 2012

**To: Chris Tweeten, Chairman,  
Montana Reserved Water Rights Compact Commission**

**CC: Rob McDonald  
Confederated Salish and Kootenai Tribes**

The members and board of the Flathead Valley Chapter of Trout Unlimited would like to commend the Montana Reserved Water Rights Compact Commission and the Confederated Salish and Kootenai Tribes for their work in developing a draft agreement to quantify water rights of the Tribes on and off the Flathead Reservation. We fully support ratification of the proposed Compact.

This proposed agreement is long overdue and the work of the Commission on this issue during the last several years is much appreciated. The willingness of the Tribes to relinquish existing off-reservation claims to protect the rights of non-tribal water users is to be commended. This agreement will provide valuable protections to Montana water users and to current water rights holders.

We recognize that CSKT has always been an able steward of Montana's water and this agreement will serve to strengthen and enhance water rights and water laws in our state. We greatly appreciate and support the involvement of CSKT in protecting instream flows in Northwest Montana. We do, however believe that the draft proposal for co-ownership between Montana FWP and the tribes of the former 2,000 CFS Milltown Dam water right can be improved. The amount of water protected for instream flows should be 1,300 CFS instead of 1,200 CFS, with 700 CFS from the Blackfoot and 600 CFS from the Clark Fork. We feel that Tribal involvement in both on, and off-reservation flow protections will be beneficial to our current and future fisheries and will protect and enhance the value of our public investment in these resources.

We also appreciate the efforts of the Tribes to enhance water rights and water use within the Reservation boundaries through the establishment of the Water Management Board to administer on-reservation water rights and through increasing efficiencies within the Flathead Irrigation Project. These actions should serve to solve the legal impasse in place since 1996 and allow for improved water management and fisheries on the Reservation.

This agreement provides more certainty for the rights of all water users and will provide additional needed water within the Flathead Basin to meet future consumptive needs and allow for expected economic development both on and off the Flathead Reservation.

Thank you for this opportunity to comment. Again, Flathead Valley Trout Unlimited wants to thank all those involved in this lengthy and complicated process and we will wholly support ratification of the proposed compact and ordinance.

Sincerely,

A handwritten signature in dark ink, appearing to read "Chris Schustrom".

Chris Schustrom  
President  
Flathead Valley Chapter Trout Unlimited

P.O. Box 638 Kalispell, MT 59903

website: [www.flatheadtu.org](http://www.flatheadtu.org) email: [flatheadtu@gmail.com](mailto:flatheadtu@gmail.com) ph: 406-260-1198

## Hoeglund, Sonja

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**From:** Mark Kuipers [mark@makdirect.net]  
**Sent:** Friday, December 14, 2012 2:22 PM  
**To:** DNR RWRCC  
**Cc:** robertmc@cskt.org  
**Subject:** Minimum Flows on the Clark Fork

Chris Tweenten, Chairman,  
Montana Reserved Water Rights Compact Commission

Dear Chairman Tweenten,

Please do not squander the opportunity to protect the Clark Fork for generations. I'm writing to voice my support for and to ask for your support for the draft agreement with the state of Montana, the federal government and the CSK Tribes. This is a breakthrough draft agreement that will benefit the people of Montana and all Americans.

After spending millions on the Milltown Dam Removal it would be a huge waste to put our native and wild fish in jeopardy by agreeing to stream flows below 1,300 CFS. This is the lowest flow the science tells us is safe for fish. This is not a place to compromise as compromise here will negate the other good work that has been done.

Please support this historic draft agreement.

Thank you.

Mark Kuipers

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Mark Kuipers  
MAK Direct  
4770 Duncan Drive  
Missoula, MT 59802  
406 327-9990  
[mark@makdirect.net](mailto:mark@makdirect.net)  
[www.makdirect.net](http://www.makdirect.net)

**Hoeglund, Sonja**

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**From:** Ed Tompkins [emtfinan@gmail.com]  
**Sent:** Friday, December 14, 2012 3:07 PM  
**To:** DNR RWRCC; robertmc@cskt.org  
**Subject:** CSKT Water Compact

Gentlemen,

I'm writing to tell you that I support the draft CSKT Water Compact Agreement.

- The tribes have dropped many legitimate claims to ensure that current non-tribal water users are protected. I would like to thank the tribes for this as perhaps you should as well.
- The agreement furthers economic development by providing certainty for necessary water development in the Flathead region. For example, it establishes a water rights system and identifies measurable instream flow objectives on the reservation.
- The benefits of the draft agreement extend well beyond the reservation boundaries and the interests of tribal members - the negotiating teams have fully ensured that the interests of existing non-tribal water right users have been protected.
- Instream flow proposals on the reservation for the Jocko River watershed, the Flathead River system, and lakes and streams from the Mission Mountains, will improve fisheries and ensure current tribal and non-tribal water users benefit from investments in water conservation.
- Instream flow protections off-reservation for the Kootenai, Swan and Clark Fork Rivers will help ensure streamflows hold steady as the climate gets warmer.
- The draft proposal for co-ownership between Montana FWP and the tribes of the former 2,000 CFS Milltown Dam water right needs to be improved. The amount of water that should be protected for instream flows should be 1,300 CFS instead of 1,200 CFS, with 700 CFS from the Blackfoot and 600 CFS from the Clark Fork.
- The Milltown instream water right can be met with minimal impacts to existing upstream water users because the State of Montana will be investing millions of dollars of Clark Fork restoration funding into flow improvement.

Thank you for your support.

Ed Tompkins

Bozeman, MT

**Hoeglund, Sonja**

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**From:** laSalle [lasalmom@montana.com]  
**Sent:** Friday, December 14, 2012 11:20 AM  
**To:** rmcdonald@cskt.org; DNR RWRCC  
**Subject:** CSKT Water Compact

I want to commend and congratulate all of you for your efforts and success in developing the Compact. The Tribe, especially, deserves the commendation for their willingness to compromise and work with the State to reach this agreement. I can't believe the radical views of those making wild unfounded claims and I hope you and the legislature will ignore these people and move forward. I look forward to seeing this Compact approved in 2013. Thank you for all your work. All the irrigators I know in the Bitterroot are thankful for what you have accomplished.

Sincerely,  
Veto J LaSalle  
590 Westside Rd  
Hamilton, Mt

Chairman Chris Tweeten,

Dec. 13, 2012

Montana Reserved Water Rights Compact Commission

We support the adoption of the draft agreement with only a few modifications. We'd suggest that the protected instream flow from the Milltown Water Right be increased from 1200 CFS to 1300 CFS to benefit the future fishery. In general we believe that this compact will benefit native fish and fisheries in the years to come.

We believe this agreement will also benefit the economy in the Flathead region by clarifying water rights in the area.

We appreciate that the Confederated Salish and Kootenai Tribes have made significant concessions to make this water accord possible. They should be commended for all their efforts, as should the members of the Commission.

Thank you.

Dan and Jeanne Olson

160 West Valley Acres

Kalispell, MT 59901

## Hoeglund, Sonja

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**From:** Terre [terrem@rockingmdesign.com]  
**Sent:** Friday, December 14, 2012 10:29 AM  
**To:** DNR RWRCC  
**Cc:** rmcdonald@cskt.org  
**Subject:** CSKT Water Compact

Attention:  
Chris Tweeten, Chairman  
Montana Reserved Water Rights Compact Commission

I'm writing this email letter in support of the draft agreement quantifying water rights for western Montana streams. It is my understanding that the tribes have long held water rights that they are willing to compromise in an effort to complete negotiations that fairly consider concerns for the various interested parties and good stewardship concerns for the environment, flora and fauna in this valuable and valued region. The tribes are to be commended for their reasonable position. It will benefit all parties to codify the water rights with identifiable and measurable instream flow objectives for both tribal and non-tribal interests. This is critical for habitat and resources whether on or off reservation lands. As a fisherman and avid recreationalist in western Montana I understand and appreciate the importance of maintaining adequate streamflows. As a professional in the construction industry (I am an architect), and having been raised on the farm, I also understand the importance of adequate water supplies for numerous uses. As a society we have a choice and can make informed decisions about how to 'share' the resource amongst ourselves to meet various needs. However, adequate minimum instream flows are critical to the health of the stream the creatures that live in and around the rivers and streams and the overall health of all who live in, depend on and/or simply visit the land. First and foremost, protecting the resource for the benefit of all is the highest and best use of the water. Our continued enjoyment and even survival is intimately tied to the health of our natural water courses.

I'm actually surprised that the proposed streamflows aren't significantly greater from the Clark Fork and Blackfoot Rivers. When flows approach these low rates, water temperature rises, algae and moss are more prolific and survival of fish and other aquatic animals is endangered. I encourage establishing at 700 cfs minimum from the Blackfoot and 600 cfs minimum from the Clark Fork.

Thank you for your efforts and consideration of all reasonable comments.

Sincerely,

Terre Meinershagen, AIA LEED AP (Architect)  
2124 Greenough Drive  
Missoula, Montana 59802  
(406) 543-8697

**Hoeglund, Sonja**

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**From:** Carey B. Schmidt [cschmidt@phillipsmontana.com]  
**Sent:** Friday, December 14, 2012 4:44 PM  
**To:** DNR RWRCC; robertmc@cskt.org  
**Subject:** CSKT Water Compact Comments

Dear Chris and MT Reserved Water Rights Compact Commission:

I want to voice my support of the draft agreement recognizing the Tribes' water rights on and off the Flathead Reservation. I believe the Tribes are giving up more than they originally bargained for when the treaty was signed. The Tribes are giving up their rights to all tributary streams and only asking for mainstem instream flow to be preserved. I believe they are entitled to more, but in the sake of community and compromise are willing to sacrifice. They should be commended for this sacrifice. Having a hard number agreement provides certainty to all entities and will provide necessary economic stability to non-tribal water users. I do not see that non-tribal water users are harmed with this agreement. Instream flows in the Jocko, Flathead and Mission, and associated lakes and streams will improve fisheries. Having water preserved instream on off-reservation waters will also help fisheries, especially given the recent climate related changes to water flow and temperature.

The shortfall of the draft proposal is that the amount of CFS preserved instream from the Milltown dam is too low. It should be greater than 1200 CFS; a minimal flow is 1300 CFS. At least 700 CFS from the Blackfoot river and 600 for the Clark Fork. The proposed 1200 CFS is not sufficient for bull trout and other species of concern. This will have the greatest impact on the fishery and is the biggest problem with the proposal.

Coupled with the restoration funding for the upper Clark Fork, this water compact has the potential to take a highly degraded watershed and turn it into something we can be proud of for generations, and something that will attract long term economic and environmental prosperity to the region.

Carey Schmidt, Missoula



## **Hoeglund, Sonja**

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**From:** Ada Montague [ada.montague@gmail.com]  
**Sent:** Friday, December 14, 2012 8:11 PM  
**To:** DNR RWRCC; robertmc@cskt.org  
**Subject:** Support for the CSKT Compact

Dear Sirs,

I attended the public outreach meeting in Missoula and was appalled by the comments made by a group of people there who appeared to be joined in their beliefs that the compact had something to do with the UN and was an unjust infringement on their water rights. I do not share their concerns at all.

I believe the compact should actually go further to protect the Confederated Tribes' water rights. From my education in water law as a law student at UM, I've learned that "time immemorial" means that whatever water rights the Confederated Tribes are willing to relinquish in order to settle any future disputes is a gift to the rest of us living here.

From my education, I've also learned that water shortages will be a world-wide concern in my generation's lifetime. I believe the best thing Montana, as a headwaters state, can do to guard against the ramifications of such a reality is to account for every drop it is legally entitled to. Once adjudication of all water right claims is complete, Montana will be in the best position to compact with other states and stand up to future inter-state (and interperson) water right disputes.

In light of these realities, I encourage the Compact Commission to complete this process as soon as possible and to sign the CSKT Compact.

Thank you very much for all your hard work and patience in this process.

With much respect,

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Ada C. Montague

JD Candidate 2013  
University of Montana School of Law

NOTICE: This communication may contain legally privileged and confidential information intended solely for the use of the addressee.  
If you have received this message in error, please notify the sender immediately and delete this message and all copies and backups thereof. Thank you.

## Hoeglund, Sonja

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**From:** Linehan Outfitting Company [linehan@fishmontana.com]  
**Sent:** Friday, December 14, 2012 3:34 PM  
**To:** DNR RWRCC  
**Subject:** CSKT Water Compact

Chris Tweeten  
Chairman, Montana Water Compact Commission

Chris,

I'm writing to comment on the recent draft agreement and wanted to thank all interested parties for working on this. In short, I'm a licensed outfitter and my wife and I have a lodge on the Kootenai River. My companies fly fishing program is the bulk of our season and literally and Montana's rivers and streams are literally how I put food on the table and pay my mortgage. Additionally, I guide on many other rivers around the state especially the Clark Fork and I want you to know how important this agreement is to me, my business, and my industry.

I'd like to start by asking the Commission to acknowledge the genuine good will of the tribes in their efforts and desire to ensure the rights of non-tribal water users. Without this effort, things might have turned out vastly different and an agreement might well have never been reached. It appears the tribes have gone above and beyond in order to work with all interested parties. To this end, I think the agreement allows for a specific degree of certitude surrounding a host of economic development areas in the Flathead for instance. Establishing a water rights system that quantifies instream flow objectives on the reservation will provide a necessary blue print for the future of an area that is growing by the day.

Personally I'm pleased with the off reservation instream flow protections proposed for the Kootenai, Clark Fork and Swan Rivers. As I mentioned above, I've a sincere dog in the fight regarding the Kootenai and Clark Fork Rivers. Regardless of your starting point in the climate change debate, nobody can argue that drought is more prevalent and that more water instream will better protect the riparian habitat and trout fisheries my business depends on and that are responsible for millions of dollars in revenue to small towns here in the northwest corner of the state. Specifically, I would like to see the protections afforded the Clark Fork improved and the co-ownership of the Mill Town Dam water rights strengthened. An additional 1000cfs would be easy to accommodate since flow efficiency will improve as a result of the tremendous restoration work slated for the immediate future and would raise instream flows from 1,200cfs to 1,300cfs (700cfs from the Blackfoot and 600 from the Clark Fork). Wild trout survival and health is all about water temperatures during drought and the data has been collected and proves, without a doubt, that more water is more beneficial.

Please feel free to enter my comments into the public record and thank you very much for the consideration.

Have a great day.

Tim Linehan

Tim and Joanne Linehan

## **Hoeglund, Sonja**

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**From:** J Dillon [jfdillon4@gmail.com]  
**Sent:** Monday, December 17, 2012 11:12 PM  
**To:** robertmc@cskt.org; richj@cskt.org; DNR RWRCC  
**Subject:** Comments on Compact with CSKT II

I have placed my comments in email text. These have seen minor revision from the earlier message attachment. Thanks again for your time. John

To: Chris Tweeten, Chairman, Montana Reserved Water Rights Compact Commission

Rich Janssen, Jr., Head, Natural Resources Department, Confederated Salish and Kootenai Tribes

Robert McDonald, Communications, Confederated Salish and Kootenai Tribes

From: John F. Dillon, Montana Resident, Helena. M.S. Environmental Studies, University of Montana. Ph.D. Candidate, American Indian Studies, University of Arizona; Indian Water Rights and Western Water Policy Analyst; former Klamath Basin Resource Specialist with Hoopa Valley Tribe, California.

RE: Comments on the "Proposed Water Rights Compact entered into by the Confederated Salish and Kootenai Tribes, the State of Montana, and United States of America" and the adjoining "Proposed Unitary Administration and Management Ordinance."

Date: December 17, 2012

1. I commend the State and United States where they have expressly recognized the Tribes' fishing and associated water rights that the Tribes reserved in the Hellgate Treaty, and where the Treaty has been dutifully upheld from the perspective of the Tribes' interpretation of the Treaty. Given the history of allotment and other takings of Tribal resources following the Treaty, it seems the Tribes have made further compromises in the proposed Compact that deserve appreciation.
2. I commend the Confederated Salish and Kootenai Tribes, the State of Montana, and the United States for recognizing the critical connection of ground and surface waters;
3. and for working to mitigate watershed-wide impacts to fish and wildlife from societies' water uses and management practices, and for establishing instream flows on and off-reservation to protect fish and wildlife;
4. and for agreeing that the Tribes and State co-own and shall co-manage off-reservation instream flows that affect tribal and non-tribal fisheries.

5. I commend provisions recognizing the Tribes' authority to develop and/or lease their waters to more flexibly determine their economic development strategies, which will inevitably enhance the Reservation community for everyone in the State, including non-tribal members.
6. I support an enforceable water rights system on the Flathead Reservation, including the accountable instream flows and lake water level objectives that are important to the Tribes' natural resource management goals.
7. I commend specific actions to regulate or otherwise affect certain upstream off-reservation irrigation water uses, and for determining Stock Water Allowance objectives.

Thank you for your time.

John F. Dillon

736 N. Ewing  
Helen, MT 59601  
406-449-2159

Subject: Meeting Dec 14th Ravalli County  
From: Terry Marasco (terrymarasco@yahoo.com)  
To: commissioners@rc.mt.gov;  
Cc: c.tweeten@bresnan.net; jweiner@mt.gov; robertmc@cskt.org;  
Date: Tuesday, December 18, 2012 8:24 AM

Christ Jay's emails  
bounced. Pls give  
a copy to:  
CHRIS TWEETEN  
& JAY WEINER

Dear Commissioner Foss: I attended the public and the Dec 14<sup>th</sup> meetings regarding the water compact. I spoke at both and remind you I am the new guy here and own a resort in Nevada where I am a stakeholder and opponent of the Las Vegas pipeline project. I thought I'd share some insights based on my 8 ½ years of protesting this project. The two quotes below are taken from a document, "Gambling on the Water Table".

I am concerned about comments made by Dr. Vandemoer which I have found in my protest and you may in yours to be counterproductive in advancing the discussion of the Montana Water Compact.

Dr. Vandemoer stated: "this is a federal taking of land/water"; "the Tribes are being used as pawns for the federal land/water taking"; and, "the 1,000 page document was made to be 1,000 pages to hide something".

Dr. Vandemoer's comments make it appear that there is some conspiracy in the background. If this is the case from her experience she needs to substantiate significantly such assertions. My concern is that unsubstantiated assertions only undermine the credibility of either side in the discussions. Of the hundreds of us in NV and UT opposing the Las Vegas pipeline we NEVER made any claim that could not be documented thoroughly knowing our case would be diminished if not dismissed if we did so. Ravalli County must take the high road in advancing its position and be careful not to make assertions without documentation.

Dr. Vandemoer's background and expertise is watershed management yet she stated many legal assertions that prompted my question to Commissioner Foss at the Dec. 14<sup>th</sup> meeting about whether or not the county has engaged legal expertise to which you responded "yes". There are two levels of legal expertise needed in this issue: 1) State, Tribal, and federal constitutional law; and, 2) water rights law under the existing regime and then on the effects of the compact. Dr. Vandemoer's assertions may be correct that this or that is unconstitutional, but highly qualified legal expertise in the end is needed.

My focus in the NV struggle was to understand the science. I amassed thousands of pages of documents, our network (Great Basin Water Network formed to battle Las Vegas) hired prominent hydrologists and geologists with whom I have met to understand the impacts. I would suggest that the county hire a prominent hydrologist and a geologist to develop independent impact statements to advance your position.

As I stated at the public meeting a Tribe (The Confederated Tribes of the Goshutes in NV and UT) has been a significant ally in protesting the pipeline project. Suggesting that they are "pawns" as was done at the Dec 14<sup>th</sup> meeting by Dr. Vandemoer suggests that they are unknowing of what is going on. Nothing can be further than the truth. The Tribes have been out with the best knowledge and

experience and given the history of Native American relations they certainly know if they are being manipulated or not. Ravalli County will want to cultivate a relationship with the Tribes so that the final resolution of the issue is best for both. Invite key tribal leaders to sit down with you face-to-face as these discussions advance.

An example of our cooperation with the Tribes is the following OP-ED penned by then Tribal Chair Ruppert Steele, myself, and another:

<http://archive.sltrib.com/article.php?id=14201199&itype=NGPSID>

Finally, my comments regarding whether or not water can be exported out of Montana is a warning not only for the compact discussion but for water rich areas of MT in general. The proponent of the NV pipeline project has suggested taking water from the Mississippi Delta, there is some discussion of moving water from the Missouri River to Denver and other seemingly unlikely schemes. But they are in fact serious. The lesson learned from my experience is that cities will be on a relentless search for rural water as supplies dwindle. And urban areas have the political clout to make it happen. We rurals need to be on top of this trend – it may seem outlandish and easily dismissible but is being seriously considered.

One result of such a threat came when Gov. Bill Richardson of NM suggested taking water from the Great Lakes which accelerated the Great Lakes--St. Lawrence River Basin Water Resources Compact. The Governor's remark prompted signing after That Compact languished since 1983 awaiting ratification.

All in all our battle has been punctuated by the facts and science. Yours will be more sound when you do so as well.

If there is anything I can contribute on either side of the issue just let me know.

#### Excerpts from "GAMBLING ON THE WATER TABLE"

1. "We cannot take from rural Nevada to support urban Nevada—all Nevada's communities deserve a decent standard of living."

—Terry Marasco, innkeeper and activist, Baker, Nevada

2. "When Terry Marasco moved to Baker, Nevada, a gateway to the national park, to take over the Silver Jack Inn in 2004, he didn't immediately grasp the full extent of the pipeline project. When he did, he got worried—for the local environment and for his business. A significant reduction in groundwater levels, a foreseeable result of the pipeline, would kill groundwater-dependent plants, hurt air quality, and affect fish populations and water availability. We have some of the best mule deer hunting in the West, and if the vegetation dies, they're gone, Marasco says. This is about the foundations of everyone's life." In February 2005, Marasco sent letters to every registered voter. The pipeline will affect "the foundations of everyone's life," says innkeeper Terry Marasco."

I had sent a letter to every registered voter in the county at my expense awaking them to the issue, then brought the issue to Utah. The Snake Valley is shared at the NV/UT border and 85% of the impacts will be in Utah.

Terry Marasco  
Mountain Valley Provisions

**Hoeglund, Sonja**

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**From:** Michael Enk [trouter@q.com]  
**Sent:** Saturday, December 15, 2012 12:01 AM  
**To:** DNR RWRCC  
**Cc:** robertmc@cskt.org  
**Subject:** CSKT Water Compact

TO: Chris Tweeten  
MRWRC Commission

Dear Chairman Tweeten;

I support the draft agreement for tribal water rights on and off the Flathead Reservation because it is fair and balanced and protects non-tribal water rights as well. The proposed instream flow reservatiions for the Jocko, Flathead, Kootenai, Swan and Clark Fork rivers are critical to protecting Montana's high value fisheries in the face of climate change. However, I support a higher instream flow reservation of 1,300 cfs at the Milltown Dam site because this flow is supportable without impacting upstream users due to effective ongoing watershed restoration efforts in the upper basin.

Please don't let extremists and conspiracy-theory fanatics torpedo this important agreement that will provide for economic security, sustainable development, and essential fishery protections to these vital watersheds.

Thank you,

Michael Enk  
[trouter@q.com](mailto:trouter@q.com)

## Hoeglund, Sonja

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**From:** Philip Naro [p.naro@wispwest.net]  
**Sent:** Saturday, December 15, 2012 7:45 AM  
**To:** DNR RWRCC  
**Subject:** CSKT Water Compact

Good Morning Chris:

I'm writing to you today to add my support for the draft agreement regarding tribal water rights on/off the Flathead Indian Reservation, including the Clark Fork, Bitterroot, Swan and Kootenai River basins. This draft agreement benefits bull and cutthroat trout on the reservation and will help protect fisheries that are important to TU members in many of western Montana's best trout streams.

I unequivocally support the draft agreement for the following reasons:

- The tribes have dropped many legitimate claims to ensure that current non-tribal water users are protected. Please point this out, thank the tribes for doing so, and ask the Commission to commend the tribes for this action.
- The agreement furthers economic development by providing certainty for necessary water development in the Flathead region. For example, it establishes a water rights system and identifies measurable in-stream flow objectives on the reservation.
- The benefits of the draft agreement extend well beyond the reservation boundaries and the interests of tribal members - the negotiating teams have fully ensured that the interests of existing non-tribal water right users have been protected.
- Instream flow proposals on the reservation for the Jocko River watershed, the Flathead River system, and lakes and streams from the Mission Mountains, will improve fisheries and ensure current tribal and non-tribal water users benefit from investments in water conservation.
- Instream flow protections off-reservation for the Kootenai, Swan and Clark Fork Rivers will help ensure streamflows hold steady as the climate gets warmer.
- The draft proposal for co-ownership between Montana FWP and the tribes of the former 2,000 CFS Milltown Dam water right needs to be improved. The amount of water that should be protected for instream flows should be 1,300 CFS instead of 1,200 CFS, with 700 CFS from the Blackfoot and 600 CFS from the Clark Fork. **This is the most important element in the agreement affecting fish off-reservation.**
- The Milltown instream water right can be met with minimal impacts to existing upstream water users because the State of Montana will be investing millions of dollars of Clark Fork restoration funding into flow improvement.

Thank you for your time and support of this draft agreement as well as your ongoing commitment to protect and conserve Montana's wild trout. I hope that the Commissioners agree with the draft submission and approve as soon as possible. Thanks once again.

Best regards,

Philip Naro



**Hoeglund, Sonja**

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**From:** DANDJKIELY@aol.com  
**Sent:** Saturday, December 15, 2012 11:51 AM  
**To:** DNR RWRCC  
**Subject:** CSKT Water Compact

To whom it may concern:

As a citizen of Montana I support a draft agreement developed by the State of Montana, federal government and Confederated Salish and Kootenai Tribes that quantifies long-held tribal water rights on and off the Flathead Indian Reservation, including for the **Clark Fork, Bitterroot, Swan and Kootenai River basins.**

As a fisherman I support efforts such as this one to improve and sustain the environmental health of rivers in Montana.

Don Kiely

## Hoeglund, Sonja

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**From:** greg munther [munther@bresnan.net]  
**Sent:** Saturday, December 15, 2012 4:16 PM  
**To:** DNR RWRCC  
**Cc:** robertmc@cskt.org  
**Subject:** Draft water agreement with Tribes

As background, I am a certified fisheries scientist who worked as a fisheries biologist for many years for the Lolo, Bitterroot, Deerlodge and Helena National Forests. My fisheries experience in western Montana has led me to conclude that instream flows are at the heart of maintenance of native fisheries. Not providing assured, sustained, adequate instream flows for aquatic resources is analogous to providing humans with oxygen only part of the time....it doesn't work well.

Therefore I strongly support the draft water agreement with some additional suggestions. Generally the agreement will provide more certainty for both aquatic resources and irrigators and other water users.

Both the State and tribes have worked in good faith and the draft agreement appears to consider both instream and other uses.

My suggestion is to increase flows in the Clark Fork and Blackfoot rivers to at least 1300 cfs in combination, with 700 from the Blackfoot and 600 from the upper Clark Fork above its confluence with the Blackfoot. Anything less will have substantial adverse effects and adverse aquatic effects of lower flows have already been documented. With global warming, expected higher temperatures and lower late season flows will make existing situations worse. Please make this change in the final agreement as it moves forward.

Greg Munther

1295 Lena Lane  
Missoula, MT 59804

## Hoeglund, Sonja

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**From:** Raymond Willms [rdwillms@gmail.com]  
**Sent:** Saturday, December 15, 2012 11:46 PM  
**To:** DNR RWRCC  
**Subject:** Draft Agreement on tribal water rights

TO: Chris Tweeten, Chairman

Montana Reserved Water Rights

Compact Commisiiion

I wish to comment briefly on the draft agreement reached by the State, the Federal Government and the Confederated Salish and Kootenai Tribes concerning long-held tribal water rights on and off the Flathead Indian Reservation, including the Clark Fork, Bitterroot, Swan, and Kootenai River basins.

I generally support the draft agreement, as it helps protect fisheries in some of Western Montana's best trout streams. As I understand the agreement, instream flow proposals for the Jocko River, the Flathead River system, and lakes and streams from the Mission Mountains will improve fisheries. Instream flow protections off-reservation for the Kootenai, Swan and Clark Fork Rivers will help ensure streamflows hold steady even in climate change. I am advised, however, that the flow allotted in the agreement for the former Milltown Dam area is inadequate to protect fisheries, and should be improved to add more flow, at least 100 cfs. It has been suggested that should include 700 cfs for the Blackfoot and 600 cfs for the Clark Fork. The State of Montana will continue Clark Fork River restoration which will enhance river flows and alleviate losses to other users.

The tribes should be commended for giving up some legitimate water rights to protect fisheries and the rights of non-tribal water users.

Raymond Willms

6549 E Kiki Ct,

Missoula, MT 59808

## **Hoeglund, Sonja**

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**From:** Marshall Bloom (Home) [drtrout@mtbloom.net]  
**Sent:** Sunday, December 16, 2012 2:01 PM  
**To:** DNR RWRCC  
**Cc:** 'Marshall Bloom (Home)'; robertmc@cskt.org; Bruce Farling; 'Doug Nation'  
**Subject:** CSKT Water Compact

Dear Mr Tweeten and Mr McDonald.

Please relay my brief comments on the CSKT Water Compact to the Montana Reserved Water Rights Compact Commission and enter them into the record.

I have participated in water issues in the Bitterroot Valley for almost 40 years. I have followed the Montana Water Adjudication process since its inception and have also followed CSKT Compact issue. I have reviewed the present proposal, and am in strong support of this agreement. I also urge the Commission to reject the bizarre and paranoid comments of the opponents!

Without elaborating on every element of this agreement, I find this to be a well conceived agreement that protects the interests of all users in the affected drainages. Of particular importance to me is the fact that the benefits will extend beyond the boundaries of the reservation and interests of the tribal members, and importantly that the rights of non-tribal water rights holders and users are well protected. In addition, the proposals relating to in stream flow both on and off the reservation have great potential to improve fisheries and promote water conservation.

I concur with the specific comments of Montana Trout Unlimited that the proposal for co-ownership between Montana FWP and the tribes of the former 2,000 CFS Milltown Dam water right needs to be improved. 1,300 CFS instead of 1,200 CFS of water should be protected for in stream flows; 700 CFS should come from the Blackfoot and 600 CFS from the Clark Fork. This right can be met with minimal impacts to existing upstream water users because the State of Montana will be investing millions of dollars of Clark Fork restoration funding into flow improvement.

Thanks for this opportunity to comment.

Sincerely,  
Marshall E Bloom, MD  
663 Alvista Loop  
Hamilton, MT 59840  
Email: [drtrout@mtbloom.net](mailto:drtrout@mtbloom.net)

**Hoeglund, Sonja**

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**From:** Edward Monnig [emonnig01@gmail.com]  
**Sent:** Sunday, December 16, 2012 7:40 PM  
**To:** DNR RWRCC  
**Subject:** CSKT Water Compact

Dear Mr Tweeten

Efforts to resolve water rights issues and to satisfy treaty obligations with various tribes have had a long and difficult history in the sat of Montana. Recently negotiators representing the State of Montana, the Federal Government and the Confederated Salish and Kootenai Tribes have reached a draft agreement that quantifies long-held tribal water rights on and off the Flathead Indian Reservation.

I support this agreement and urge you and the Montana Reserved Water Rights Compact Commission to approve and forward this agreement to the State of Montana for their approval.

This agreement has far-reaching benefits for the all citizens of Montana as well as the tribes by assuring in-stream flows to protect fish and wildlife that we all share as well as tribal treaty rights.

The tribes have dropped many claims to ensure that current non-tribal water users are protected and their reasonable stances should be acknowledged by all.

I urge you to do all you can to bring this effort to a speedy and successful conclusion

Sincerely  
Edward Monnig

**Hoeglund, Sonja**

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**From:** Donn Dale [donn@flyfishbigsky.com]  
**Sent:** Thursday, December 13, 2012 2:42 PM  
**To:** DNR RWRCC  
**Subject:** CSKT Water Compact

Dear Sir- As you may well know water is our first priority and the most valuable resource in our state. It serves a great multiple of different employs and can make or break many industries relying on it continued and well managed supply. I sincerely hope you will ratify the coming proposal in cooperation with the Salish and Kootenai tribal proposal and agreement on this matter. Respectfully yours.  
Donn R. Dale - Owner of Clark Fork River Outfitters, St. Regis, Montana.

**Hoeglund, Sonja**

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**From:** Doug Nation [douglas.p.nation@gmail.com]  
**Sent:** Thursday, December 13, 2012 1:45 PM  
**To:** DNR RWRCC; rmcdonald@cskt.org  
**Subject:** CSKT Water Compact

Dear Sirs,

I write this to voice my support of the draft water compact agreement between the State of Montana and the Confederated Salish and Kootenai Tribes. I urge you to send this draft agreement to the State Legislature for ratification. This draft agreement will provide benefits for all Montanans, both current and future, by providing the raw material, water, for a healthy and vibrant fishery.

The tribes should be commended for their compromising approach during negotiation of this draft agreement and foregoing their treaty granted rights to water that is currently being used by other citizens. They could have been significantly less accommodating to current non-tribal water rights users that are using THEIR water.

This draft agreement is a testament to how all vested interests need to work together for the benefit of all citizens. The protection of water necessary for native bull trout and cutthroat trout will have a lasting impact for future Montanans and the certainty of water rights development in the Flathead region will bolster economic development in western Montana.

Please do the right thing and honor the time and effort of all parties that negotiated this draft agreement by sending the agreement to the State Legislature for ratification.

Thank you for the opportunity to weigh in on this important issue.

Best Regards,

Doug Nation  
289 Bowman Rd.  
Hamilton, MT 58940

**Hoeglund, Sonja**

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**From:** Robert Bushmaker [robert.bushmaker@gmail.com]  
**Sent:** Thursday, December 13, 2012 8:15 AM  
**To:** DNR RWRCC; bruce@montanatu.org  
**Subject:** State of Montana, federal government & Confederated Salish and Kootenai Tribes draft agreement for the Clark Fork, Bitterroot, Swan and Kootenai River basins.

Gentlemen & Ladies:

What I have read regarding this agreement sounds good for me as well as the future health of the subject rivers.

I recommend you approve of this draft agreement.

Respectfully submitted,  
Robert J. Bushmaker  
17 Z Bar T Road  
Whitehall, MT 59759



**Hoeglund, Sonja**

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**From:** Ellis, Richard [Ellis\_R@fortlewis.edu]  
**Sent:** Wednesday, December 12, 2012 10:00 PM  
**To:** DNR RWRCC  
**Subject:** CSKT Water Compact

Let's do the right thing and approve the Salish-Kootenai water accord. Ignore the scare tactics and wild claims used by some opponents.

Richard Ellis  
669 Groff Ln  
Stevensville, MT 59870

**Hoeglund, Sonja**

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**From:** Jan and John Wilson [jwilmt@msn.com]  
**Sent:** Wednesday, December 12, 2012 6:34 PM  
**To:** DNR RWRCC  
**Cc:** rmcdonald@cskt.org  
**Subject:** CSKT Water Compact

Dear Mr Tweeten,

I support most of the draft agreement reached between the State of Montana, federal government and Confederated Salish and Kootenai Tribes (CSKT Water Compact) and appreciate the work that has gone into it. However I believe that the amount of water proposed to be allocated for instream flow coming from the former Milltown Dam water right is insufficient and unnecessarily low. The draft proposes 1200 cfs for instream flow. This is not sufficient and will likely lead to a diminution of fisheries and recreational resources. At a minimum the amount proposed for instream flows should be 1400 cfs to ensure long-term viability of the fisheries resource especially in light of the tremendous investment being made in the superfund clean-up on the Clark Fork.

John Wilson  
405 Monroe Ave.  
Helena, MT 59601

**Hoeglund, Sonja**

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**From:** Mark Peterson [mdandib@qwestoffice.net]  
**Sent:** Wednesday, December 12, 2012 1:06 PM  
**To:** DNR RWRCC  
**Cc:** rmcdonald@cskt.org  
**Subject:** CSKT Water Compact

Chairman Tweeten,

I'm writing today in support of the draft agreement between the state of Montana, the federal government and the Confederated Salish and Kootenai Tribes regarding tribal water rights on and off the Flathead Reservation. The tribes are especially to be commended for their willingness to compromise to make sure that current non-tribal water rights users are protected. From economic to biological and ecological benefits and protection, this is a well thought out agreement which is the result of years of negotiations and deserves to be sent along to the legislature to move it towards ratification.

Sincerely,

Mark Peterson  
Bozeman, MT

**Hoeglund, Sonja**

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**From:** shortgroup@gmail.com on behalf of Jamie [Jamie@shortgroup.net]  
**Sent:** Thursday, December 13, 2012 2:04 PM  
**To:** DNR RWRCC  
**Cc:** rmcdonald@cskt.org  
**Subject:** CSKT Water Compact

Chris Tweeten, Chairman  
Montana Reserved Water Rights Compact Commission

I am writing to let you know that I support the draft agreement. I am a resident of Missoula County and enjoy Montana's many streams, lakes and rivers. I am also an active member on the local chapter of Trout Unlimited and care deeply about the future of Montana's watersheds.

To make this agreement work the tribes have given up many legal claims in order to ensure that current non-tribal water users are protected. I am very thankful to the tribes for this concession and they should be commended for doing so.

By providing certainty for future necessary water development in the Flathead region, the agreement furthers economic growth. The agreement establishes a water rights system and identifies measurable in-stream flow objectives on the reservation. The agreement has ensured that the interests of existing non-tribal water right users have been protected, which demonstrates that the benefits of the agreement go beyond the interests of tribal members alone.

Fisheries and current tribal and non-tribal water users will benefit from investments in water conservation as suggested by the in-stream flow proposals on the reservation for the Jocko River watershed and the Flathead River system.

As the climate warms, in-stream flow protections off-reservation for the Clark Fork, Swan and Kootenai Rivers will help ensure stream-flows hold steady.

One of the most important pieces of the agreement affecting fisheries off-reservation is the proposal for co-ownership of the former 2,000 CFS Milltown Dam water right between Montana FWP and the tribes which needs improvement. The amount of water that should be protected for instream flows should be a minimum of 1,300 CFS instead of 1,200 CFS, with a minimum of 700 CFS from the Blackfoot and a minimum of 600 CFS from the Clark Fork. Again this is very important in maintaining a healthy fishery. This in-stream water right can be achieved with minimal effect on existing upstream water users because The State of Montana will be investing millions of dollars of Clark Fork restoration funding into flow improvement.

Thank you for your negotiation efforts in getting this Compact passed.

Sincerely,

James Short

Hoeglund, Sonja

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**From:** Chris Baillio [cbaillio@hotmail.com]  
**Sent:** Wednesday, December 12, 2012 3:30 PM  
**To:** DNR RWRCC  
**Subject:** Draft Agreement for Flathead Lake watershed

Dear Mr. Tweeten,

Thank you for taking the time to hear my concerns with the draft agreement between The State of Montana, federal government and Confederated Salish and Kootenai Tribes. Please note that I support this draft agreement and urge you to approve it and move forward based on the following;

- The tribes have dropped many legitimate claims to ensure that current non-tribal water users are protected. Please commend the tribes for this.
- The agreement furthers economic development by providing certainty for necessary water development in the Flathead region. For example, it establishes a water rights system and identifies measurable instream flow objectives on the reservation.
- The benefits of the draft agreement extend well beyond the reservation boundaries and the interests of tribal members - the negotiating teams have fully ensured that the interests of existing non-tribal water right users have been protected.
- Instream flow proposals on the reservation for the Jocko River watershed, the Flathead River system, and lakes and streams from the Mission Mountains, will improve fisheries and ensure current tribal and non-tribal water users benefit from investments in water conservation.
- Instream flow protections off-reservation for the Kootenai, Swan and Clark Fork Rivers will help ensure streamflows hold steady as the climate gets warmer.
- The draft proposal for co-ownership between Montana FWP and the tribes of the former 2,000 CFS Milltown Dam water right needs to be improved. The amount of water that should be protected for instream flows should be 1,300 CFS instead of 1,200 CFS, with 700 CFS from the Blackfoot and 600 CFS from the Clark Fork. **This is the most important element in the agreement affecting fish off-reservation.**
- The Milltown instream water right can be met with minimal impacts to existing upstream water users because the State of Montana will be investing millions of dollars of Clark Fork restoration funding into flow improvement.

Thank you again for your time.

## **Hoeglund, Sonja**

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**From:** Ric Smith [ricsmith@century21bigsky.com]  
**Sent:** Wednesday, December 12, 2012 3:26 PM  
**To:** DNR RWRCC  
**Cc:** Rob McDonald  
**Subject:** CSKT Water Compact

Chris Tweeten, Chairman  
Montana Reserved Water Rights Compact Commission

Rob McDonald  
Confederated Salish and Kootenai Tribes

Gentlemen:

I am in support of the draft compact. There are many reasons for my support:

- Non- Tribal members' water rights are protected. The Tribes have dropped many legitimate claims to make this possible.
- The agreement provides certainty for water use and development. The certainty created by the compact is good for business.
- The compact creates a global solution. All of the many aspects are resolved locally. The community will not be told by a judge what to do, which in the end will create more questions than answers.
- The alternative is litigation. Litigation is bad for business. Litigation is very costly, and more often than not, the result is that neither party wins. Additionally, from a social perspective, our community needs to learn how to solve our issues locally. Litigation creates tension amongst the citizens of the reservation.

I would like to thank the State and Tribes for their efforts. If there is any way I can help with this process, please let me know.

Ric

Ric Smith  
The Smith Team  
Broker/Owner  
Century 21 Big Sky  
119 Anchor Way  
Polson, MT 59860  
406-883-5387 (o)

**Hoeglund, Sonja**

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**From:** Bill Baum [GrizzlyBill@centurytel.net]  
**Sent:** Saturday, December 08, 2012 8:09 PM  
**To:** DNR RWRCC  
**Subject:** Bill Baum's opinion: Water Rights Settlement

8 December 2012

Chris Tweeten  
Chair, MT RWRCC  
2705 Spurgin Road  
Building C  
Missoula, MT 59804  
[dnrrwrcc@mt.gov](mailto:dnrrwrcc@mt.gov)

Re: The Confederated Salish & Kootenai Tribes water rights settlement of 1855: The Hellgate Treaty

Re: Bill Baum's opinion about the Proposed Compact and Ordinance for the Flathead Reservation Water Rights Settlement upcoming in 2013.

Hi Chris:

I want to congratulate you for a job well done at the public hearing in Kalispell on 27 November 2012 at The Outlaw Inn. I was the white-bearded guy in the front row, to your left (next to Cal Scott), who discussed the laws of discovery with you.

I want to weigh in on this very controversial topic. Politically, I am an independent, although I do regularly correspond and meet with Democrats: Brian Schweitzer; Max Baucus; Jon Tester, Dr. Jack Stanford...and Republicans: Dale Lauman; Jim Dupont (deceased); Cal Scott; Verdell Jackson....to name only a few.

My personal feelings are that Native American Indians have historically been the greatest stewards of our lands, air, waterways, wildlife, fish, birds, et al...and the white man has certainly not been.

It distresses me to live in Flathead County amongst so many extremist, Redneck, Tea Party Republicans who admonish Indians' intentions on water rights claims out of fear they will lose their own water rights claims to them. These people are not very scholarly or academic and limit their research on matters to expressing their ignorant prejudices as a result of listening to Rush Limbaugh on the radio.

Fear is a powerful motivator and these folks are genuinely afraid. If they only realized how many rights the Indians have voluntarily surrendered in order to maintain peace and tranquility,

they might listen to reason above and beyond their predisposition to vent their anger rather than engage their brains and try to think. We are dealing with human psychology here.

My own water rights claims are at risk, as I live on a little wilderness ranch, along the Flathead River, with Abbott Creek running through it from Hungry Horse Reservoir, near Glacier National Park and the Great Bear Wilderness Area, but I feel no fear since I believe the Indians are going to be more than reasonable and not destroy or circumvent my rights. I know this having spoken to numerous CSKT members at various public hearings and Flathead Basin Commission meetings.

If these disgruntled, prejudiced Flathead County citizens would only matriculate amongst the CSKT members at public gatherings, they too would realize they have nothing to fear. So, that is my recommendation: Bring the differing parties together to talk intimately and break bread. Foster an understanding of having many things in common, such as abundant fishing in clean waterways. Familiarity will not breed contempt at such a gathering...it will engender respect for each other. Try to de-stress people from only discussing legalities. Human nature will take over.

Right now my only committee assignment is Brian Schweitzer's Forest Lands Taxation Advisory Council. My numerous other committee assignments [listed at links to Facebook and LinkedIn below] have run their course and are expired. My service with Verdell Jackson on water rights dating back to 2003 ended when I put my real estate license on "inactive status" and retired from the Northwest Montana Association of Realtors Government Affairs Committee in 2009. I saved all my notes.

Nice job in getting the first five settlements accomplished. Thanks for all you do,

Bill Baum  
Retired Aerospace Engineer & Computer Scientist  
Post-graduate studies in Law & MBA  
Substitute high school teacher  
Editorial columnist and technical writer  
Wildlife advocate & research ecology assistant  
Realtor in the wildlands-urban-interface  
Advisor in growth policy planning & subdivision regulations  
<http://www.linkedin.com/pub/bill-baum/37/757/578>

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